

USDOL/OALJ Reporter

[*Swindler v. Wallace-Superior*](#), 81-ERA-2 (ALJ Sept. 22, 1981)

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U.S. Department of Labor
Office of Administrative Law Judges
211 Main Street
San Francisco, California 94105
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CASE NO. 81-ERA-2

In the Matter of

SIDNEY M. SWINDLER
Complainant v.

WALLACE-SUPERIOR
Respondent

ORDER APPROVING WITHDRAWAL OF COMPLAINT

This case was scheduled for trial July 9, 1981. Prior to that date the office of Administrative Law Judges was advised by counsel that the case had been settled and a stipulation would be sent. No stipulation was received despite repeated requests.

By letter of August 20, 1981, counsel for Wallace-Superior contended no advice had ever been given that a stipulation would be sent, that the terms of the stipulation are confidential, and "all terms of the settlement have been fully performed and there are no issues to try."

Since counsel refuse to provide a copy of the stipulation there can be no approval of the settlement. The matter will be treated as though the complaint was withdrawn. Accordingly, it is hereby

ORDERED that the withdrawal of the complaint is approved.

EDWARD C. BURCH
Deputy Chief Administrative Law Judge

Dated: SEP 22, 1981
San Francisco, California

ECB:dml